THE HON'BLE MS JUSTICE G.ROHINI

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WRIT PETITION No. 17671 of 2005

Dt:06.09.2005

Between:

New World Society

.. Petitioner

and

The Superintendent of Police and others

.. Respondents

THE HON'BLE MS JUSTICE G.ROHINI

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WRIT PETITION No. 17671 of 2005

ORDER:

In this writ petition the petitioner is seeking a *Mandamus* declaring the action of the respondents in illegally interfering with the lawful activities of the petitioner-Society from conducting the card room, as illegal and arbitrary.

Heard both the learned counsel for the petitioner as well as the learned Government Pleader for Prohibition and Excise appearing for the respondents.

It is brought to my notice that in similar circumstances, a Division Bench of this Court has clarified the legal position in this regard in its Judgment in W.A.No.1167 of 2002 dated 29.07.2002. The relevant portion may be extracted hereunder:

> "The police authorities cannot obstruct the Writ Petitioner-Club from conducting card room where the members and guests of the Writ Petitioner's cultural center are allowed to play the game of rummy with stakes/syndicate (thirteen card game). At the same time, we make it clear that the police are always at liberty to enter the premises and check as to whether the cultural center of the Club is conducting card room where the members and guests of petitioner's cultural center are playing the game of rummy with stakes/syndicate (thirteen card game), for the purpose of verification. If they receive any intimation, police may enter the Club and verify the same and proceed further if the members and guests of Writ Petitioner's cultural center play other than the game of rummy with stakes/syndicate (thirteen card game). The police authorities are also at liberty to proceed with the cases, which are already registered."

Following the above Judgment of the Division Bench, the Writ Petition is disposed of in terms of the directions given in the Judgment in W.A.No.1167 of 2002 dated 29.07.2002.

However, it is made clear that the respondents are at liberty to take appropriate action against the members of the petitioner-Society if they promote any illegal activity at the premises of the Petitioner-Society. No costs.

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06.09.2005

kdl